

Application No.09/933,542

Applicant(s) PAL ANADISH KUMAR

Examiner: Joseph Waks

Art Unit 2834

(ABRIDGED FAX COPY OF MAILED LETTER)

REPLY TO THE OFFICE ACTION MAILED ON 11/27/2002**REPLY TO CLAIM REJECTIONS - 35 U.S.C. 112**

The applicant accepts the fact that his skills in drafting legal technical documents might be limited. But it is disheartening to receive the unsubstantiated allegation of his draft of claims being a translation from a foreign document. The applicant is not a native speaker of English language. In the absence of any financial support, the applicant had to rely upon his own modest personal means and abilities for submitting and drafting the present patent application. A well-wisher based in the USA donated the application fee of \$355.

The applicant is striving to learn more about patent prosecution procedure in the USA, as he has now a small desktop to his disposal. He wishes to thank the office for the good counsel, but due to his abject lack of funds he might not be able to take the services of a registered patent attorney or agent in near future. He realizes his handicap in this context and bemoans the fact that he might really not get the maximum protection for his invention disclosed in the above-mentioned application.

Many inadvertent grammatical and spelling errors might have crept into the submitted copy of the disclosure because of the use of a mechanical typewriter for typing out the final copy. The applicant tried to quantify the numbers of spelling errors. An approximate estimation as follows:

NUMBER OF TOTAL SPELLING ERRORS - 11

Spelling errors in applicant's typescript - 5

Spelling errors after data entry at USPTO - 6

NUMBER OF UPPER-CASE USES INSTEAD OF LOWER CASE IN APPLICANT'S TYPESCRIPT - 12

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REPLY TO CLAIM REJECTIONS – 35 U.S.C. 101

The applicant fully and readily understands the error committed by him in postulating Claim 1 as it were in the submitted copy of his application. He therefore requests the Office to grant him permission to withdraw it; and if permission may granted he may present a modified form of Claim 2 as the only Claim, leaving out the context to which the Office has objected to. The applicant would request the Office to kindly consider a modified Claim, which leaves out references to any discovery. The applicant shall later in this communication proceed to present a new draft of amended Claim.

REPLY TO CLAIM REJECTIONS – 35 U.S.C. 102

The applicant is grateful to the Office for providing him with extensive and elaborate references collected painstakingly from diverse sources. A reference was made to the patent by Fujita et al. (JP0439691 A), as having anticipated a multi-pole magnetic switch 6 routing to a process-control module during the starting or low-speed rotation, enabling the detection of rotor position during then. It is interesting to note that the English summary of this patent by Fujita et al. does not contain a reference to the switch 6, described as a multi-pole magnetic switch 6 in the communication sent by the Office. In addition, this multi-pole switch 6 in any of its selected positions allows the alternating current generated by the rotating rotor of the brushless motor, with permanent magnets on its rotor, to go back into the AC power supply 3; which is exactly what the combination of electromagnetic switches act to avoid in the applicant's invention. Claim 2, which is rejected by the office on the ground of being anticipated earlier, clearly states, "...use of one or two multi-pole electromagnetic switches to make a changeover so that the low-power alternating-current output being generated by the mechanical rotation of the rotor does not sink into the extremely-low impedance (sic) mains power-supply side,..." Even if the Office does not give allowance for the mis-spelt word "impedence" to be read as "impedance", the difference between the way the multi-pole switch 6 in the invention by Fujita et al. and the electromagnetically-operated switches CN1 and CN2 (FIG. 1 in the

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applicant's disclosure) affect the flow of alternating current generated by the motor is fundamental. In the invention by Fujita et al. alternating current flowing back to the AC power supply 3 is essential for the working of their invention; while in the applicant's invention it is necessary that the path of the feeble alternating current, produced by the induction motor running in the absence of electrical power, to the AC power supply be fully and completely broken for the functioning of the invention.

Moreover, it could be of further interest to note that a general attempt to translate the Japanese characters (part *Kanji*, part *Katakana*) which made up for the words whose translation was given by the Office as "a multi-pole magnetic switch 6" was made. The results of which would be discussed in some detail here. The Japanese characters, which stand for the switch 6, are made up of two *Kanjis* (*KIRU* and *KAN*) and one *Katakana* character (*SUICHU*); there is no extra character to denote the magnetic nature of the switch. Roughly translated in English, *KIRU* stands for CUT (pp.141, 142), *KAN* stands for REPLACE/DIVERSION (p.95) and *SUICHU* is the Japanese mispronunciation of the actual English word SWITCH (p.597). For attempting to do the translation the applicant made use of KODANSHA'S FURIGANA ENGLISH-JAPANESE DICTIONARY (ISBN 7-7700-2055-4, First Edition 1996, Distributed in the United States by Kodansha America, Inc., 114 Fifth Avenue, New York, New York 10011). The switch 6 in the patent disclosure by Fujita et al. would roughly translate into CUT TRANSFER SWITCH. The *Kanji* character for MAGNET (p.353) *JISHYAKU*, also included in forming the Japanese word MAGNETIC, is not there in the characters denoting switch 6 in the disclosure by Fujita et al.

With reference to the preceding discussion, the applicant would request the Office to please reconsider the basic idea of the Claim 2 with a more logical and specific framing, avoiding any allusions to a discovery. The applicant submits a draft for a modified CLAIM section for his original disclosure, for the perusal of the Office. The proposed